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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :

KENJI OKAHARA ET AL

: ATTN: APPLICATION DIVISION

SERIAL NO: 10/030,143

:

FILED: JANUARY 28, 2002

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FOR: NON-AQUEOUS ELECTROLYTE :
AND SECONDARY BATTERY
USING THE SAME

PRELIMINARY AMENDMENT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Prior to examination on the merits, please amend the above-identified application as follows.

IN THE TITLE

Please delete the title and replace with the following title:

NONAQUEOUS ELECTROLYTIC SOLUTION AND SECONDARY BATTERY
CONTAINING THE SAME

IN THE CLAIMS

Please amend the claims as shown in the marked-up copy following this amendment to read as follows.

6. (Amended) The non-aqueous electrolyte according to Claim 1, wherein the compound represented by the formula (I) is contained in the electrolyte in an amount of 0.01 to 0.8 mmol/g.

7. (Amended) The non-aqueous electrolyte according to Claim 1, wherein it is an electrolyte for a non-aqueous secondary battery comprising a cathode containing a lithium metal complex oxide and an anode containing a material which is capable of storing and releasing lithium.

8. (Amended) A non-aqueous secondary battery which is equipped with a cathode containing a lithium metal complex oxide, an anode containing a material which is capable of storing and releasing lithium and the electrolyte according to Claim 1.

9. (Amended) A non-aqueous secondary battery which is equipped with a cathode containing a lithium metal complex oxide, an anode containing a material which is capable of storing and releasing lithium and an electrolyte, wherein the cathode comprises the compound represented by the formula (I) according to Claim 1.

10. (Amended) The non-aqueous secondary battery according to Claim 8, wherein the lithium metal complex oxide is a lithium cobalt oxide, lithium nickel oxide and/or lithium manganese oxide.

11. (Amended) The non-aqueous secondary battery according to Claim 8, wherein the material which is capable of storing and releasing lithium is a carbonaceous material.

Please add the following new claims.

12. (New) The non-aqueous secondary battery according to Claim 9, wherein the lithium metal complex oxide is a lithium cobalt oxide, lithium nickel oxide and/or lithium manganese oxide.

13. (New) The non-aqueous secondary battery according to Claim 9, wherein the material which is capable of storing and releasing lithium is a carbonaceous material.

14. (New) The non-aqueous secondary battery according to Claim 10, wherein the material which is capable of storing and releasing lithium is a carbonaceous material.

REMARKS

Claims 1-14 are active in the present application. Claims 6-11 have been amended to remove multiple dependencies. Claims 12-14 are new claims. Support for the new claims is found in the original claims. No new matter is added. An action on the merits and allowance of claims is solicited.

Respectfully submitted,

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Serial No:
<u>10/030 143</u>
Amendment Filed on:
<u>9-20-02</u>

IN THE TITLE

Please delete the title and replace with the following title:

[NON-AQUEOUS ELECTROLYTE AND SECONDARY BATTERY USING THE SAME]

--NONAQUEOUS ELECTROLYTIC SOLUTION AND SECONDARY BATTERY

CONTAINING THE SAME--

IN THE CLAIMS

Please amend the claims as follows:

--6. (Amended) The non-aqueous electrolyte according to [any one of Claims 1 to 5]

Claim 1, wherein the compound represented by the formula (I) is contained in the electrolyte in an amount of 0.01 to 0.8 mmol/g.

7. (Amended) The non-aqueous electrolyte according to [any one of Claims 1 to 6]

Claim 1, wherein it is an electrolyte for a non-aqueous secondary battery comprising a cathode containing a lithium metal complex oxide and an anode containing a material which is capable of storing and releasing lithium.

8. (Amended) A non-aqueous secondary battery which is equipped with a cathode containing a lithium metal complex oxide, an anode containing a material which is capable of storing and releasing lithium and the electrolyte according to [any one of Claims 1 to 7]

Claim 1.

9. (Amended) A non-aqueous secondary battery which is equipped with a cathode containing a lithium metal complex oxide, an anode containing a material which is capable of storing and releasing lithium and an electrolyte, wherein the cathode comprises the compound represented by the formula (I) according to [any one of Claims 1 to 5] Claim 1.

10. (Amended) The non-aqueous secondary battery according to Claim 8 [or 9], wherein the lithium metal complex oxide is a lithium cobalt oxide, lithium nickel oxide and/or lithium manganese oxide.

11. (Amended) The non-aqueous secondary battery according to [any one of Claims 8 to 10] Claim 8, wherein the material which is capable of storing and releasing lithium is a carbonaceous material.--

Claims 12-14 (New).